

FOR MYSORE STATE

Home (1953) Department.

MS SERIES.

G.O. NO.

796

Dated

9.3.53

[Despatch Abstract.]

Magistrates -Hony- South Kanara district - Special First class Magistrate, sitting singly at Udipi - Krishnayya, SriK. - Powers under Sec. 260 Criminal procedure Code - Granted

Ref.C3.972/53-(1)

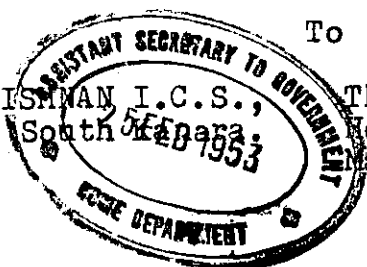
S.Kanara Dt.Magistrate's Office,
Mangalore dated 19.2.53.

From

To

SRI C.A.RAMAKRISHNAN I.C.S.,
Dt.Magistrate, South Kanara

The Secretary to Government,
Home Department, Fort St.George
Madras 9.



Sir,

MAGISTRATES- Hon. Special I Class Magistrate sitting singly
at Udipi exercising of powers under Sec.160 Cr.P.C.instructions
solicited.

40055

25/2/53

✓
(M) 11-12-53

Sri K.Krishnayya a retired Dy.Collector has been appointed as
Special I Class Magistrate to sit singly at Udipi for a period
of 2 years in G.O.Ms.No.53 Home Department dt.6.1.53. He has
reported to me that he was invested with summary powers under Sec.
260 Cr.P.C. when he was the sub Divisional I Class Magistrate and
requests that he may be allowed to exercise these powers now. As he
is a retired individual I doubt whether it would be legal to allow him
to exercise those powers as Hon.Magistrate which he was invested when
he was a stipendiary magistrate. I solicit instructions whether he
should be invested with powers under section 260 Cr.P.C. afresh or
whether it is sufficient if he is given local jurisdiction.

Yours faithfully,

For Dt.Magistrate.

AM/20-2-53

3

14/5/53

MAGISTRATE
GOM. NO.

96 dated 9.3.53.

Magistrate - Hony - South Kanara
district - Special First class Magistrate working
Singly at Udipi - KRISHNAYYA, Sri. K -
Powers under sec. 260 Cr. P. C. - Granted

(D) 11/11/53 Recd: Hom. 55 Home dt. 6.1.53.

from the D.M., South Kanara, Ref C.S. 972/52-11
dated 19.2.53

Order:

The following notification will be
published in the Fort St George Gazette:-

NOTIFICATION.

Under section 260 of the Code of
Criminal Procedure, 1898 (Central Act V of 1898),
the Governor of Madras hereby empowers
~~the spec~~ Sri. KAKKANNUR KRISHNAYYA,
Special First class Magistrate in the district
of SOUTH KANARA, to try summarily all or
any of the offences specified in sub-section (1)
of ~~section~~ that section.

57d 11/3/53

13/3/53

64/873 1000 a 3/4

To
The D.M. South Kanara
" S.O.P for order given
NOTE in the P&G Gazette
" Spd. First class Maghe
This 'Maghe' South
Kanara
Copy ASP. W (GAP) sent.

263 - 395
18.3.53

(C. no. 40055-cls II 53)

Magistrates - Hony - South Kanara district - ^{Hony} Special
First class Magistrate sitting singly at Udipi -
Exercise of powers under sec 260 Cr. P. C.

From the D.M., South Kanara, Ref. C3. 972/53-11) dt. 19.2.53

✓ M/11-12

pief

Sri. K. Krishnayya, a retired Dy. Collector was appointed as special first class Magistrate to ^{sit} singly at Udipi in G.O.M.S. 55 Home dt. 6.1.53. ~~The D.M. South Kanara now reports that~~ Sri. Krishnayya ~~has~~ stated that he was invested with summary powers under section 260 Cr. P. C. when he was a Sub Divisional Magistrate and has requested that he may be allowed to exercise those powers now. As the Magistrate is a retired ~~is a retired~~ individual, the D.M. South Kanara doubts whether it would be legal to allow him to exercise ^{summary} ~~those~~ ^{now} powers as Hony. Magistrate which powers were granted ~~was granted~~ when he was a stipendiary Magistrate. He therefore requests instructions whether the ^{spl. magte} ~~should~~ be invested with powers under section 260 Cr. P. C. afresh or whether it is sufficient if he is given local jurisdiction.

7301 of the M
not put up

4 pages, p. 1 of

of G.O.M.S.

2421 Home

15.9.53

1

2. Subd that it will be observed from Rangamathai's Commentaries on the Cr. P. C. under sec. 40 that where an officer who retired from Govt service was later on reappointed, it was held that it was necessary to confer powers on such an officer afresh. Please also see in this connection the notes of this dept on pp 1-2 of and the G.O. at 157-8 of G.G.M.S. no. 2421 Home dated 25.9.43 at para 1. Sri. K. Krishnayya cannot therefore exercise summary powers after retirement without being empowered afresh. There is however no objection to invest him with summary powers. The spl. Magistrates sitting singly at Puttur and Mangalore have been invested with these powers. For orders whether he may be invested with these powers now, it does not seem necessary to await proposals from the D.M. in this behalf. Subject to orders, the draft order

4 to from W. 11-12

of (M)

7

3.

subd is for approval.

08

5.3.53.
~~8/3/53~~

8/3
~~8/3~~

1500
~~14 2/3~~

(988888 as 40ms. 796 home of 9.3.53)
